



General Assembly

**Amendment**

January Session, 2021

LCO No. 7081



Offered by:

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To: Subst. House Bill No. 6423

File No. 431

Cal. No. 323

**"AN ACT CONCERNING IMMUNIZATIONS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) On or before January 1, 2022,  
4 and annually thereafter, the Department of Public Health shall identify  
5 each public and nonpublic school in the state that has reported that less  
6 than ninety-five per cent of its students have satisfied the immunization  
7 requirements set forth in section 10-204a of the general statutes, as  
8 amended by this act. The department shall (1) perform outreach to such  
9 schools in the form of education for students and their families  
10 concerning such immunization requirements and the consequences for  
11 not meeting such requirements, and (2) ensure that the appropriate  
12 vaccines are readily available for any student who has not satisfied such  
13 immunization requirements.

14 Sec. 2. Subsection (a) of section 38a-492r of the general statutes is  
15 repealed and the following is substituted in lieu thereof (*Effective January*

16 1, 2022):

17 (a) Each individual health insurance policy providing coverage of the  
18 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469  
19 delivered, issued for delivery, renewed, amended or continued in this  
20 state that provides coverage for prescription drugs shall provide  
21 [coverage for] (1) coverage for immunizations recommended by the  
22 American Academy of Pediatrics, American Academy of Family  
23 Physicians and the American College of Obstetricians and  
24 Gynecologists, and (2) with respect to immunizations that have in effect  
25 a recommendation from the Advisory Committee on Immunization  
26 Practices of the Centers for Disease Control and Prevention with respect  
27 to the individual involved, coverage for such immunizations and at least  
28 a twenty-minute consultation between such individual and a health care  
29 provider authorized to administer such immunizations to such  
30 individual.

31 Sec. 3. Subsection (a) of section 38a-518r of the general statutes is  
32 repealed and the following is substituted in lieu thereof (*Effective January*  
33 *1, 2022*):

34 (a) Each group health insurance policy providing coverage of the type  
35 specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469  
36 delivered, issued for delivery, renewed, amended or continued in this  
37 state that provides coverage for prescription drugs shall provide  
38 [coverage for] (1) coverage for immunizations recommended by the  
39 American Academy of Pediatrics, American Academy of Family  
40 Physicians and the American College of Obstetricians and  
41 Gynecologists, and (2) with respect to immunizations that have in effect  
42 a recommendation from the Advisory Committee on Immunization  
43 Practices of the Centers for Disease Control and Prevention with respect  
44 to the individual involved, coverage for such immunizations and at least  
45 a twenty-minute consultation between such individual and a health care  
46 provider authorized to administer such immunizations to such  
47 individual.

48 Sec. 4. (NEW) (*Effective from passage*) On or before January 1, 2022, the  
49 Department of Public Health shall develop a program providing  
50 community-based educational sessions concerning vaccines. Such  
51 sessions shall be open to all residents and include both in-person and  
52 virtual question-and-answer sessions with a varied panel of physicians  
53 licensed pursuant to chapter 370 of the general statutes, as determined  
54 by the Commissioner of Public Health.

55 Sec. 5. Subsection (a) of section 10-15c of the general statutes is  
56 repealed and the following is substituted in lieu thereof (*Effective from*  
57 *passage*):

58 (a) The public schools shall be open to all children five years of age  
59 and over who reach age five [on or before the first day of January] prior  
60 to the first day of regular school sessions of any school year for the  
61 school district, and each such child shall have, and shall be so advised  
62 by the appropriate school authorities, an equal opportunity to  
63 participate in the activities, programs and courses of study offered in  
64 such public schools, at such time as the child becomes eligible to  
65 participate in such activities, programs and courses of study, without  
66 discrimination on account of race, color, sex, gender identity or  
67 expression, religion, national origin or sexual orientation; provided  
68 boards of education may, by vote at a meeting duly called, admit to any  
69 school children under five years of age.

70 Sec. 6. Subsections (a) and (b) of section 10-204a of the general statutes  
71 are repealed and the following is substituted in lieu thereof (*Effective July*  
72 *1, 2021*):

73 (a) Each local or regional board of education, or similar body  
74 governing a nonpublic school or schools, shall require each child to be  
75 protected by adequate immunization against diphtheria, pertussis,  
76 tetanus, poliomyelitis, measles, mumps, rubella, hemophilus influenzae  
77 type B and any other vaccine required by the schedule for active  
78 immunization adopted pursuant to section 19a-7f before being  
79 permitted to enroll in second grade of any program operated by a public

80 or nonpublic school under its jurisdiction. Before being permitted to  
81 enter seventh grade, a child shall receive a second immunization against  
82 measles. Any such child who (1) presents a certificate from a physician,  
83 physician assistant, advanced practice registered nurse or local health  
84 agency stating that initial immunizations have been given to such child  
85 and additional immunizations are in process under guidelines and  
86 schedules specified by the Commissioner of Public Health; or (2)  
87 presents a certificate, in a form prescribed by the commissioner  
88 pursuant to section 12 of this act, from a physician, physician assistant  
89 or advanced practice registered nurse stating that in the opinion of such  
90 physician, physician assistant or advanced practice registered nurse  
91 such immunization is medically contraindicated because of the physical  
92 condition of such child; or (3) presents a statement from the parents or  
93 guardian of such child that such immunization would be contrary to the  
94 religious beliefs of such child or the parents or guardian of such child,  
95 which statement shall be acknowledged, in accordance with the  
96 provisions of sections 1-32, 1-34 and 1-35, by (A) a judge of a court of  
97 record or a family support magistrate, (B) a clerk or deputy clerk of a  
98 court having a seal, (C) a town clerk, (D) a notary public, (E) a justice of  
99 the peace, (F) an attorney admitted to the bar of this state, or (G)  
100 notwithstanding any provision of chapter 6, a school nurse; or (4) in the  
101 case of measles, mumps or rubella, presents a certificate from a  
102 physician, physician assistant or advanced practice registered nurse or  
103 from the director of health in such child's present or previous town of  
104 residence, stating that the child has had a confirmed case of such  
105 disease; or (5) in the case of hemophilus influenzae type B has passed  
106 his fifth birthday; or (6) in the case of pertussis, has passed his sixth  
107 birthday, shall be exempt from the appropriate provisions of this  
108 section. On or before January 1, 2022, the Department of Public Health  
109 shall develop a plan to ensure that vaccines are more accessible to  
110 children who are eligible for free or reduced price lunches. If the parents  
111 or guardians of any child are unable to pay for such immunizations, the  
112 expense of such immunizations shall, on the recommendations of such  
113 board of education, be paid by the town. Before being permitted to enter  
114 seventh grade, the parents or guardian of any child who is exempt on

115 religious grounds from the immunization requirements of this section,  
116 pursuant to subdivision (3) of this subsection, shall present to such  
117 school a statement that such immunization requirements are contrary to  
118 the religious beliefs of such child or the parents or guardian of such  
119 child, which statement shall be acknowledged, in accordance with the  
120 provisions of sections 1-32, 1-34 and 1-35, by (A) a judge of a court of  
121 record or a family support magistrate, (B) a clerk or deputy clerk of a  
122 court having a seal, (C) a town clerk, (D) a notary public, (E) a justice of  
123 the peace, (F) an attorney admitted to the bar of this state, or (G)  
124 notwithstanding any provision of chapter 6, a school nurse.

125 (b) The definitions of adequate immunization shall reflect the  
126 schedule for active immunization adopted pursuant to section 19a-7f  
127 and be established by regulation adopted in accordance with the  
128 provisions of chapter 54 by the Commissioner of Public Health, who  
129 shall also be responsible for providing procedures under which [said]  
130 such boards and [said] similar governing bodies shall collect and report  
131 immunization data on each child to the Department of Public Health for  
132 (1) compilation and analysis by said department, and (2) release by the  
133 department of annual immunization rates, the rate of exemptions from  
134 immunization requirements and the rate noncompliant students with  
135 immunization requirements for each public and nonpublic school in the  
136 state and the rate of exemptions from immunization requirements,  
137 provided such immunization data may not contain information that  
138 identifies a specific individual, provided such immunization data may  
139 not contain information that identifies a specific individual and the  
140 department shall not release such data until all public and nonpublic  
141 schools have reported such data to the department. On or before  
142 January 1, 2022, the commissioner shall develop an electronic form to be  
143 used by such boards and similar governing bodies to report such  
144 immunization data to the department. Such electronic form shall  
145 include a section in which said boards and similar governing bodies  
146 shall report (A) all students who are noncompliant with the  
147 immunization requirements set forth in subsection (a) of this section,  
148 and (B) whether such students are in the process of receiving

149 immunizations that will render them compliant with such  
150 immunization requirements. Each local and regional board of education  
151 and similar body governing a nonpublic school or schools shall establish  
152 a position the sole responsibility of which shall be the collection and  
153 reporting of such immunization data to the department.

154 Sec. 7. (NEW) (*Effective from passage*) On or before January 1, 2022, the  
155 Department of Public Health shall develop a program providing  
156 community-based educational sessions concerning vaccines. Such  
157 sessions shall (1) be open to all residents, (2) include both in-person and  
158 virtual question-and-answer sessions with a varied panel of physicians  
159 licensed pursuant to chapter 370 of the general statutes, as determined  
160 by the Commissioner of Public Health, (3) provide families with  
161 information concerning the outcome of studies of vaccine safety, and (4)  
162 offer roundtable discussions with residents to address any additional  
163 safety concerns surrounding vaccines.

164 Sec. 8. Section 10a-155 of the general statutes is repealed and the  
165 following is substituted in lieu thereof (*Effective from passage*):

166 (a) Each institution of higher education shall require each full-time or  
167 matriculating student born after December 31, 1956, to provide proof of  
168 adequate immunization against measles, rubella, [and on and after  
169 August 1, 2010, to provide proof of adequate immunization against]  
170 mumps and varicella as recommended by the national Advisory  
171 Committee for Immunization Practices before permitting such student  
172 to enroll in such institution. [Any such]

173 (b) Notwithstanding the provisions of subsection (a) of this section,  
174 any student who (1) presents a certificate, in a form prescribed by the  
175 Commissioner of Public Health pursuant to section 12 of this act, from  
176 a physician, a physician assistant or an advanced practice registered  
177 nurse stating that in the opinion of such physician, physician assistant  
178 or advanced practice registered nurse such immunization is medically  
179 contraindicated, (2) provides a statement that such immunization  
180 [would be] is contrary to his or her religious beliefs, (3) presents a

181 certificate from a physician, a physician assistant, an advanced practice  
182 registered nurse or the director of health in the student's present or  
183 previous town of residence, stating that the student has had a confirmed  
184 case of such disease, (4) is enrolled exclusively in a program for which  
185 students do not congregate on campus for classes or to participate in  
186 institutional-sponsored events, such as students enrolled in distance  
187 learning programs for individualized home study or programs  
188 conducted entirely through electronic media in a setting without other  
189 students present, or (5) graduated from a public or nonpublic high  
190 school in this state in 1999 or later and was not exempt from the measles,  
191 rubella and [on and after August 1, 2010, the] mumps vaccination  
192 requirement pursuant to subdivision (2) or (3) of subsection (a) of  
193 section 10-204a, as amended by this act, shall be exempt from the  
194 appropriate provisions of this section.

195 [(b)] (c) Each institution of higher education shall keep uniform  
196 records of the immunizations and immunization status of each student,  
197 based on the certificate of immunization or other evidence acceptable  
198 pursuant to subsection [(a)] (b) of this section. The record shall be part  
199 of the student's permanent record. By November first of each year, the  
200 chief administrative officer of each institution of higher education shall  
201 cause to be submitted to the Commissioner of Public Health, on a form  
202 provided by the commissioner, a summary report of the immunization  
203 status of all students enrolling in such institution.

204 Sec. 9. Subsection (a) of section 10a-155b of the general statutes is  
205 repealed and the following is substituted in lieu thereof (*Effective from*  
206 *passage*):

207 (a) For students who first enroll in the 2014-2015 school year, and first  
208 enroll in each school year thereafter, each public or private college or  
209 university in this state shall require that each student who resides in on-  
210 campus housing be vaccinated against meningitis and submit evidence  
211 of having received a meningococcal conjugate vaccine not more than  
212 five years before enrollment as a condition of such residence. The  
213 provisions of this subsection shall not apply to any such student who (1)

214 presents a certificate, in a form prescribed by the Commissioner of  
215 Public Health pursuant to section 12 of this act, from a physician, an  
216 advanced practice registered nurse or a physician assistant stating that,  
217 in the opinion of such physician, advanced practice registered nurse or  
218 physician assistant, such vaccination is medically contraindicated  
219 because of the physical condition of such student, or (2) presents a  
220 statement that such vaccination [would be] is contrary to the religious  
221 beliefs of such student.

222 Sec. 10. Section 19a-79 of the general statutes is repealed and the  
223 following is substituted in lieu thereof (*Effective from passage*):

224 (a) The Commissioner of Early Childhood shall adopt regulations, in  
225 accordance with the provisions of chapter 54, to carry out the purposes  
226 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,  
227 and to assure that child care centers and group child care homes meet  
228 the health, educational and social needs of children utilizing such child  
229 care centers and group child care homes. Such regulations shall (1)  
230 specify that before being permitted to attend any child care center or  
231 group child care home, each child shall be protected as age-appropriate  
232 by adequate immunization against diphtheria, pertussis, tetanus,  
233 poliomyelitis, measles, mumps, rubella, [hemophilus] haemophilus  
234 influenzae type B and any other vaccine required by the schedule of  
235 active immunization adopted pursuant to section 19a-7f, [including  
236 appropriate exemptions for children for whom such immunization is  
237 medically contraindicated and for children whose parent or guardian  
238 objects to such immunization on religious grounds, and that any  
239 objection by a parent or a guardian to immunization of a child on  
240 religious grounds shall be accompanied by a statement from such parent  
241 or guardian that such immunization would be contrary to the religious  
242 beliefs of such child or the parent or guardian of such child, which  
243 statement shall be acknowledged, in accordance with the provisions of  
244 sections 1-32, 1-34 and 1-35, by (A) a judge of a court of record or a family  
245 support magistrate, (B) a clerk or deputy clerk of a court having a seal,  
246 (C) a town clerk, (D) a notary public, (E) a justice of the peace, or (F) an  
247 attorney admitted to the bar of this state,] (2) specify conditions under

248 which child care center directors and teachers and group child care  
249 home providers may administer tests to monitor glucose levels in a child  
250 with diagnosed diabetes mellitus, and administer medicinal  
251 preparations, including controlled drugs specified in the regulations by  
252 the commissioner, to a child receiving child care services at such child  
253 care center or group child care home pursuant to the written order of a  
254 physician licensed to practice medicine or a dentist licensed to practice  
255 dental medicine in this or another state, or an advanced practice  
256 registered nurse licensed to prescribe in accordance with section 20-94a,  
257 or a physician assistant licensed to prescribe in accordance with section  
258 20-12d, and the written authorization of a parent or guardian of such  
259 child, (3) specify that an operator of a child care center or group child  
260 care home, licensed before January 1, 1986, or an operator who receives  
261 a license after January 1, 1986, for a facility licensed prior to January 1,  
262 1986, shall provide a minimum of thirty square feet per child of total  
263 indoor usable space, free of furniture except that needed for the  
264 children's purposes, exclusive of toilet rooms, bathrooms, coatrooms,  
265 kitchens, halls, isolation room or other rooms used for purposes other  
266 than the activities of the children, (4) specify that a child care center or  
267 group child care home licensed after January 1, 1986, shall provide  
268 thirty-five square feet per child of total indoor usable space, (5) establish  
269 appropriate child care center staffing requirements for employees  
270 certified in cardiopulmonary resuscitation by the American Red Cross,  
271 the American Heart Association, the National Safety Council, American  
272 Safety and Health Institute, Medic First Aid International, Inc. or an  
273 organization using guidelines for cardiopulmonary resuscitation and  
274 emergency cardiovascular care published by the American Heart  
275 Association and International Liaison Committee on Resuscitation, (6)  
276 specify that [on and after January 1, 2003,] a child care center or group  
277 child care home (A) shall not deny services to a child on the basis of a  
278 child's known or suspected allergy or because a child has a prescription  
279 for an automatic prefilled cartridge injector or similar automatic  
280 injectable equipment used to treat an allergic reaction, or for injectable  
281 equipment used to administer glucagon, (B) shall, not later than three  
282 weeks after such child's enrollment in such a center or home, have staff

283 trained in the use of such equipment on-site during all hours when such  
284 a child is on-site, (C) shall require such child's parent or guardian to  
285 provide the injector or injectable equipment and a copy of the  
286 prescription for such medication and injector or injectable equipment  
287 upon enrollment of such child, and (D) shall require a parent or  
288 guardian enrolling such a child to replace such medication and  
289 equipment prior to its expiration date, (7) specify that [on and after  
290 January 1, 2005,] a child care center or group child care home (A) shall  
291 not deny services to a child on the basis of a child's diagnosis of asthma  
292 or because a child has a prescription for an inhalant medication to treat  
293 asthma, and (B) shall, not later than three weeks after such child's  
294 enrollment in such a center or home, have staff trained in the  
295 administration of such medication on-site during all hours when such a  
296 child is on-site, and (8) establish physical plant requirements for  
297 licensed child care centers and licensed group child care homes that  
298 exclusively serve school-age children. When establishing such  
299 requirements, the Office of Early Childhood shall give consideration to  
300 child care centers and group child care homes that are located in private  
301 or public school buildings. With respect to this subdivision only, the  
302 commissioner shall implement policies and procedures necessary to  
303 implement the physical plant requirements established pursuant to this  
304 subdivision while in the process of adopting such policies and  
305 procedures in regulation form. Until replaced by policies and  
306 procedures implemented pursuant to this subdivision, any physical  
307 plant requirement specified in the office's regulations that is generally  
308 applicable to child care centers and group child care homes shall  
309 continue to be applicable to such centers and homes that exclusively  
310 serve school-age children. The commissioner shall [print] post notice of  
311 the intent to adopt regulations pursuant to this subdivision on the  
312 eRegulations System not later than twenty days after the date of  
313 implementation of such policies and procedures. Policies and  
314 procedures implemented pursuant to this subdivision shall be valid  
315 until the time final regulations are adopted.

316 (b) Any child who (1) presents a certificate, in a form prescribed by

317 the Commissioner of Public Health pursuant to section 12 of this act,  
318 signed by a physician, a physician assistant or an advanced practice  
319 registered nurse stating that, in the opinion of such physician, physician  
320 assistant or advanced practice registered nurse, the immunizations  
321 required pursuant to regulations adopted pursuant to subdivision (1) of  
322 subsection (a) of this section are medically contraindicated, or (2)  
323 presents a statement that such immunizations are contrary to the  
324 religious beliefs of such child or the parents or guardian of such child,  
325 shall be exempt from the immunization requirements set forth in such  
326 regulations. The statement described in subdivision (2) of this  
327 subsection shall be acknowledged, in accordance with the provisions of  
328 sections 1-32, 1-34 and 1-35, by a judge of a court of record or a family  
329 support magistrate, a clerk or deputy clerk of a court having a seal, a  
330 town clerk, a notary public, a justice of the peace, or an attorney  
331 admitted to the bar of this state.

332 [(b)] (c) The commissioner may adopt regulations, pursuant to  
333 chapter 54, to establish civil penalties of not more than one hundred  
334 dollars per day for each day of violation and other disciplinary remedies  
335 that may be imposed, following a contested-case hearing, upon the  
336 holder of a license issued under section 19a-80 to operate a child care  
337 center or group child care home or upon the holder of a license issued  
338 under section 19a-87b, as amended by this act, to operate a family child  
339 care home.

340 [(c)] (d) The commissioner shall exempt Montessori schools  
341 accredited by the American Montessori Society or the Association  
342 Montessori Internationale from any provision in regulations adopted  
343 pursuant to subsection (a) of this section which sets requirements on  
344 group size or child to staff ratios or the provision of cots.

345 [(d)] (e) Upon the declaration by the Governor of a civil preparedness  
346 emergency pursuant to section 28-9 or a public health emergency  
347 pursuant to section 19a-131a, the commissioner may waive the  
348 provisions of any regulation adopted pursuant to this section if the  
349 commissioner determines that such waiver would not endanger the life,

350 safety or health of any child. The commissioner shall prescribe the  
351 duration of such waiver, provided such waiver shall not extend beyond  
352 the duration of the declared emergency. The commissioner shall  
353 establish the criteria by which a waiver request shall be made and the  
354 conditions for which a waiver will be granted or denied. The provisions  
355 of section 19a-84 shall not apply to a denial of a waiver request under  
356 this subsection.

357 ~~[(e)]~~ (f) Any child care center or group child care home may provide  
358 child care services to homeless children and youths, as defined in 42  
359 USC 11434a, as amended from time to time, for a period not to exceed  
360 ninety days without complying with any provision in regulations  
361 adopted pursuant to this section relating to immunization and physical  
362 examination requirements. Any child care center or group child care  
363 home that provides child care services to homeless children and youths  
364 at such center or home under this subsection shall maintain a record on  
365 file of all homeless children and youths who have attended such center  
366 or home for a period of two years after such homeless children or youths  
367 are no longer receiving child care services at such center or home.

368 ~~[(f)]~~ (g) Any child care center or group child care home may provide  
369 child care services to a foster child for a period not to exceed forty-five  
370 days without complying with any provision in regulations adopted  
371 pursuant to this section relating to immunization and physical  
372 examination requirements. Any child care center or group child care  
373 home that provides child care services to a foster child at such center or  
374 home under this subsection shall maintain a record on file of such foster  
375 child for a period of two years after such foster child is no longer  
376 receiving child care services at such center or home. For purposes of this  
377 subsection, "foster child" means a child who is in the care and custody  
378 of the Commissioner of Children and Families and placed in a foster  
379 home licensed pursuant to section 17a-114, foster home approved by a  
380 child-placing agency licensed pursuant to section 17a-149, facility  
381 licensed pursuant to section 17a-145 or with a relative or fictive kin  
382 caregiver pursuant to section 17a-114.

383 Sec. 11. Section 19a-87b of the general statutes is repealed and the  
384 following is substituted in lieu thereof (*Effective from passage*):

385 (a) No person, group of persons, association, organization,  
386 corporation, institution or agency, public or private, shall maintain a  
387 family child care home, as defined in section 19a-77, without a license  
388 issued by the Commissioner of Early Childhood. Licensure forms shall  
389 be obtained from the Office of Early Childhood. Applications for  
390 licensure shall be made to the commissioner on forms provided by the  
391 office and shall contain the information required by regulations adopted  
392 under this section. The licensure and application forms shall contain a  
393 notice that false statements made therein are punishable in accordance  
394 with section 53a-157b. Applicants shall state, in writing, that they are in  
395 compliance with the regulations adopted by the commissioner pursuant  
396 to subsection (f) of this section. Before a family child care home license  
397 is granted, the office shall make an inquiry and investigation which shall  
398 include a visit and inspection of the premises for which the license is  
399 requested. Any inspection conducted by the office shall include an  
400 inspection for evident sources of lead poisoning. The office shall provide  
401 for a chemical analysis of any paint chips found on such premises.  
402 Neither the commissioner nor the commissioner's designee shall require  
403 an annual inspection for homes seeking license renewal or for licensed  
404 homes, except that the commissioner or the commissioner's designee  
405 shall make an unannounced visit, inspection or investigation of each  
406 licensed family child care home at least once every year. A licensed  
407 family child care home shall not be subject to any conditions on the  
408 operation of such home by local officials, other than those imposed by  
409 the office pursuant to this subsection, if the home complies with all local  
410 codes and ordinances applicable to single and multifamily dwellings.

411 (b) No person shall act as an assistant or substitute staff member to a  
412 person or entity maintaining a family child care home, as defined in  
413 section 19a-77, without an approval issued by the commissioner. Any  
414 person seeking to act as an assistant or substitute staff member in a  
415 family child care home shall submit an application for such approval to  
416 the office. Applications for approval shall: (1) Be made to the

417 commissioner on forms provided by the office, (2) contain the  
418 information required by regulations adopted under this section, and (3)  
419 be accompanied by a fee of fifteen dollars. The approval application  
420 forms shall contain a notice that false statements made in such form are  
421 punishable in accordance with section 53a-157b.

422 (c) The commissioner, within available appropriations, shall require  
423 each initial applicant or prospective employee of a family child care  
424 home in a position requiring the provision of care to a child, including  
425 an assistant or substitute staff member and each household member  
426 who is sixteen years of age or older, to submit to comprehensive  
427 background checks, including state and national criminal history  
428 records checks. The criminal history records checks required pursuant  
429 to this subsection shall be conducted in accordance with section 29-17a.  
430 The commissioner shall also request a check of the state child abuse  
431 registry established pursuant to section 17a-101k. The commissioner  
432 shall notify each licensee of the provisions of this subsection. For  
433 purposes of this subsection, "household member" means any person,  
434 other than the person who is licensed to conduct, operate or maintain a  
435 family child care home, who resides in the family child care home, such  
436 as the licensee's spouse or children, tenants and any other occupant.

437 (d) An application for initial licensure pursuant to this section shall  
438 be accompanied by a fee of forty dollars and such license shall be issued  
439 for a term of four years. An application for renewal of a license issued  
440 pursuant to this section shall be accompanied by a fee of forty dollars  
441 and a certification from the licensee that any child enrolled in the family  
442 child care home has received age-appropriate immunizations in  
443 accordance with regulations adopted pursuant to subsection (f) of this  
444 section. A license issued pursuant to this section shall be renewed for a  
445 term of four years. In the case of an applicant submitting an application  
446 for renewal of a license that has expired, and who has ceased operations  
447 of a family child care home due to such expired license, the  
448 commissioner may renew such expired license within thirty days of the  
449 date of such expiration upon receipt of an application for renewal that  
450 is accompanied by such fee and such certification.

451 (e) An application for initial staff approval or renewal of staff  
452 approval shall be accompanied by a fee of fifteen dollars. Such  
453 approvals shall be issued or renewed for a term of two years.

454 (f) The commissioner shall adopt regulations, in accordance with the  
455 provisions of chapter 54, to assure that family child care homes, as  
456 defined in section 19a-77, meet the health, educational and social needs  
457 of children utilizing such homes. Such regulations shall ensure that the  
458 family child care home is treated as a residence, and not an institutional  
459 facility. Such regulations shall specify that each child be protected as  
460 age-appropriate by adequate immunization against diphtheria,  
461 pertussis, tetanus, poliomyelitis, measles, mumps, rubella,  
462 [hemophilus] haemophilus influenzae type B and any other vaccine  
463 required by the schedule of active immunization adopted pursuant to  
464 section 19a-7f. [Such regulations shall provide appropriate exemptions  
465 for children for whom such immunization is medically contraindicated  
466 and for children whose parents or guardian objects to such  
467 immunization on religious grounds and require that any such objection  
468 be accompanied by a statement from such parents or guardian that such  
469 immunization would be contrary to the religious beliefs of such child or  
470 the parents or guardian of such child, which statement shall be  
471 acknowledged, in accordance with the provisions of sections 1-32, 1-34  
472 and 1-35, by (1) a judge of a court of record or a family support  
473 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town  
474 clerk, (4) a notary public, (5) a justice of the peace, or (6) an attorney  
475 admitted to the bar of this state.] Such regulations shall also specify  
476 conditions under which family child care home providers may  
477 administer tests to monitor glucose levels in a child with diagnosed  
478 diabetes mellitus, and administer medicinal preparations, including  
479 controlled drugs specified in the regulations by the commissioner, to a  
480 child receiving child care services at a family child care home pursuant  
481 to a written order of a physician licensed to practice medicine in this or  
482 another state, an advanced practice registered nurse licensed to  
483 prescribe in accordance with section 20-94a or a physician assistant  
484 licensed to prescribe in accordance with section 20-12d, and the written

485 authorization of a parent or guardian of such child. Such regulations  
486 shall specify appropriate standards for extended care and intermittent  
487 short-term overnight care. The commissioner shall inform each licensee,  
488 by way of a plain language summary provided not later than sixty days  
489 after the regulation's effective date, of any new or changed regulations  
490 adopted under this subsection with which a licensee must comply.

491 (g) Any child who (1) presents a certificate, in a form prescribed by  
492 the Commissioner of Public Health pursuant to section 12 of this act,  
493 signed by a physician, a physician assistant or an advanced practice  
494 registered nurse stating that, in the opinion of such physician, physician  
495 assistant or advanced practice registered nurse, the immunizations  
496 required pursuant to regulations adopted pursuant to subsection (f) of  
497 this section are medically contraindicated, or (2) presents a statement  
498 that such immunizations are contrary to the religious beliefs of such  
499 child or the parents or guardian of such child, shall be exempt from the  
500 immunization requirements set forth in such regulations. The statement  
501 described in subdivision (2) of this subsection shall be acknowledged,  
502 in accordance with the provisions of sections 1-32, 1-34 and 1-35, by (A)  
503 a judge of a court of record or a family support magistrate, (B) a clerk or  
504 deputy clerk of a court having a seal, (C) a town clerk, (D) a notary  
505 public, (E) a justice of the peace, or (F) an attorney admitted to the bar  
506 of this state.

507 [(g)] (h) Upon the declaration by the Governor of a civil preparedness  
508 emergency pursuant to section 28-9 or a public health emergency  
509 pursuant to section 19a-131a, the commissioner may waive the  
510 provisions of any regulation adopted pursuant to this section if the  
511 commissioner determines that such waiver would not endanger the life,  
512 safety or health of any child. The commissioner shall prescribe the  
513 duration of such waiver, provided such waiver shall not extend beyond  
514 the duration of the declared emergency. The commissioner shall  
515 establish the criteria by which a waiver request shall be made and the  
516 conditions for which a waiver will be granted or denied. The provisions  
517 of section 19a-84 shall not apply to a denial of a waiver request under  
518 this subsection.

519 [(h)] (i) Any family child care home may provide child care services  
520 to homeless children and youths, as defined in 42 USC 11434a, as  
521 amended from time to time, for a period not to exceed ninety days  
522 without complying with any provision in regulations adopted pursuant  
523 to this section relating to immunization and physical examination  
524 requirements. Any family child care home that provides child care  
525 services to homeless children and youths at such home under this  
526 subsection shall maintain a record on file of all homeless children and  
527 youths who have attended such home for a period of two years after  
528 such homeless children or youths are no longer receiving child care  
529 services at such home.

530 [(i)] (j) Any family child care home may provide child care services to  
531 a foster child for a period not to exceed forty-five days without  
532 complying with any provision in regulations adopted pursuant to this  
533 section relating to immunization and physical examination  
534 requirements. Any family child care home that provides child care  
535 services to a foster child at such home under this subsection shall  
536 maintain a record on file of such foster child for a period of two years  
537 after such foster child is no longer receiving child care services at such  
538 home. For purposes of this subsection, "foster child" means a child who  
539 is in the care and custody of the Commissioner of Children and Families  
540 and placed in a foster home licensed pursuant to section 17a-114, foster  
541 home approved by a child-placing agency licensed pursuant to section  
542 17a-149, facility licensed pursuant to section 17a-145 or with a relative  
543 or fictive kin caregiver pursuant to section 17a-114.

544 Sec. 12. (NEW) (*Effective from passage*) On or before October 1, 2021,  
545 the Commissioner of Public Health shall develop and make available on  
546 the Internet web site of the Department of Public Health a certificate for  
547 use by a physician, physician assistant or advanced practice registered  
548 nurse stating that, in the opinion of such physician, physician assistant  
549 or advanced practice registered nurse, a vaccination required by the  
550 general statutes is medically contraindicated for a person because of the  
551 physical condition of such person. The certificate shall include (1)  
552 definitions of the terms "contraindication" and "precaution", (2) a list of

553 contraindications and precautions recognized by the National Centers  
554 for Disease Control and Prevention for each of the statutorily required  
555 vaccinations, from which the physician, physician assistant or advanced  
556 practice registered nurse may select the relevant contraindication or  
557 precaution on behalf of such person, (3) a section in which the physician,  
558 physician assistant or advanced practice registered nurse may record a  
559 contraindication or precaution that is not recognized by the National  
560 Centers for Disease Control and Prevention, but in his or her discretion,  
561 results in the vaccination being medically contraindicated, including,  
562 but not limited to, any autoimmune disorder, family history of any  
563 autoimmune disorder, family history of any reaction to a vaccination,  
564 genetic predisposition to any reaction to a vaccination as determined  
565 through genetic testing and a previous documented reaction of a person  
566 that is correlated to a vaccination, (4) a section in which the physician,  
567 physician assistant or advanced practice registered nurse may include a  
568 written explanation for the exemption from any statutorily required  
569 vaccinations, (5) a section requiring the signature of the physician,  
570 physician assistant or advanced practice registered nurse, (6) a  
571 requirement that the physician, physician assistant or advanced practice  
572 registered nurse attach such person's most current immunization  
573 record, and (7) a synopsis of the grounds for any order of quarantine or  
574 isolation pursuant to section 19a-131b of the general statutes.

575 Sec. 13. (NEW) (*Effective from passage*) (a) There is established an  
576 Advisory Committee on Medically Contraindicated Vaccinations within  
577 the Department of Public Health for the purpose of advising the  
578 Commissioner of Public Health on issues concerning exemptions from  
579 state or federal requirements for vaccinations that result from a  
580 physician, physician assistant or advanced practice registered nurse  
581 stating that a vaccination is medically contraindicated for a person due  
582 to the medical condition of such person. Said advisory committee shall  
583 not be responsible for confirming or denying any determination by a  
584 physician, physician assistant or advanced practice registered nurse that  
585 a vaccination is medically contraindicated for a specific individual. In  
586 order to carry out its duties, the advisory committee shall (1) have access

587 to the childhood immunization registry established by the department  
588 pursuant to section 19a-7h of the general statutes, (2) evaluate the  
589 process used by the department in collecting data concerning  
590 exemptions resulting from a vaccination being medically  
591 contraindicated and whether the department should have any oversight  
592 over such exemptions, (3) examine whether enrollment of an  
593 unvaccinated child into a program operated by a public or nonpublic  
594 school, institution of higher education, child care center or group child  
595 care home should be conditioned upon the child meeting certain  
596 criteria, (4) calculate the ratio of school nurses to students in each public  
597 and nonpublic school in the state and the funding issues surrounding  
598 such ratio, (5) assess whether immunizations should be required more  
599 frequently than prior to enrollment into a program operated by a public  
600 or nonpublic school and prior to entering seventh grade, and (6)  
601 determine whether (A) there are any discrepancies in the issuance of  
602 certificates stating that a vaccine is medically contraindicated, and (B) to  
603 recommend continuing education of physicians, physician assistants or  
604 advanced practice registered nurses in vaccine contraindications and  
605 precautions. All information obtained by the advisory committee from  
606 such registry shall be confidential pursuant to section 19a-25 of the  
607 general statutes.

608 (b) The advisory committee shall consist of the following members:

609 (1) Two appointed by the speaker of the House of Representatives,  
610 one of whom shall be a physician licensed pursuant to chapter 370 of the  
611 general statutes who is a pediatrician, and one of whom shall be a  
612 member of the public whose family member was denied an exemption  
613 to immunization requirements set forth in the general statutes on the  
614 ground that an immunization was medically contraindicated;

615 (2) Two appointed by the president pro tempore of the Senate, one of  
616 whom shall be a chiropractic physician licensed pursuant to chapter 370  
617 of the general statutes, and one of whom shall be a member of the public  
618 whose family member was denied an exemption to immunization  
619 requirements set forth in the general statutes on the ground that an

620 immunization was medically contraindicated;

621 (3) One appointed by the majority leader of the House of  
622 Representatives, who shall be a school nurse;

623 (4) One appointed by the majority leader of the Senate, who shall be  
624 a physician assistant licensed pursuant to chapter 370 of the general  
625 statutes who has experience in the administration of vaccines;

626 (5) One appointed by the minority leader of the House of  
627 Representatives, who shall be an advanced practice registered nurse  
628 licensed pursuant to chapter 378 of the general statutes who has  
629 experience in the administration of vaccines;

630 (6) One appointed by the minority leader of the Senate, who shall be  
631 a naturopath licensed pursuant to chapter 373 of the general statutes;

632 (7) The Commissioner of Public Health, or the commissioner's  
633 designee;

634 (8) The Commissioner of Education, or the commissioner's designee;  
635 and

636 (9) The Commissioner of Early Childhood, or the commissioner's  
637 designee.

638 (c) The members of the advisory committee shall elect a chairperson  
639 of the advisory committee from among its members. Such chairperson  
640 shall schedule the first meeting of the advisory committee, which shall  
641 be held not later than October 1, 2021. The advisory committee shall  
642 meet not less than biannually. On or before January 1, 2022, and  
643 annually thereafter, the committee shall report, in accordance with the  
644 provisions of section 11-4a of the general statutes, on its activities and  
645 findings to the joint standing committee of the General Assembly  
646 having cognizance of matters relating to public health.

647 Sec. 14. (NEW) (*Effective from passage*) On or before January 1, 2022,  
648 the Department of Public Health shall (1) provide sufficient resources to

649 school nurses to allow them to more efficiently track compliance with  
 650 immunization requirements set forth in the general statutes, and (2)  
 651 permit school nurses to electronically access the immunization data it  
 652 reports to the department and update such data as needed to ensure its  
 653 accuracy."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>January 1, 2022</i>	38a-492r(a)
Sec. 3	<i>January 1, 2022</i>	38a-518r(a)
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	10-15c(a)
Sec. 6	<i>July 1, 2021</i>	10-204a(a) and (b)
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	10a-155
Sec. 9	<i>from passage</i>	10a-155b(a)
Sec. 10	<i>from passage</i>	19a-79
Sec. 11	<i>from passage</i>	19a-87b
Sec. 12	<i>from passage</i>	New section
Sec. 13	<i>from passage</i>	New section
Sec. 14	<i>from passage</i>	New section